

**ENTERED**

November 03, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

UNITED STATES OF AMERICA

VS.

TRACEY LYNN BAUTISTA

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§

CRIMINAL ACTION NO. 3:16-CR-7

**ORDER**

Pending before the Court is Defendant Tracey Lynn Bautista's Second Unopposed Motion for Enlargement of Time to File Pretrial Motions (Dkt. 30). In accordance with 18 U.S.C. § 3161, the basis for the continuance is the finding that the ends of justice served in granting such continuance outweigh the best interests of the public and the Defendant in a speedy trial.

The Court finds that, pursuant to 18 U.S.C. § 3161, a failure to grant continuance in this case would deny counsel for the Defendant the reasonable time necessary for effective preparation taking into account the exercise of due diligence and would thereby result in a miscarriage of justice for the Defendant.

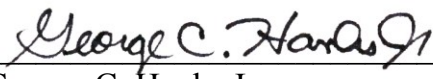
The Defendant recites that there has been inadequate time to sufficiently prepare for trial. Denial of the reasonable time necessary for effective trial preparation is expressly enunciated in 18 U.S.C. § 3161 as a factor in determining that a continuance in the ends of justice would outweigh the public's interest in a speedy trial.

**IT IS HEREBY ORDERED** that the Defendant's motion for continuance is **GRANTED**. A period of excludable delay shall commence from today, **November 3,**

**2016**, pursuant to 18 U.S.C. § 3161, and **December 5, 2016**. It is further ORDERED that the scheduling order is amended as follows:

<u>November 7, 2016</u>	All MOTIONS will be filed no later than this date.
<u>November 14, 2016</u>	RESPONSES to motions will be filed no later than this date.
<u>December 1, 2016</u> <u>3:00 p.m.</u>	PRETRIAL CONFERENCE
<u>December 12, 2016</u> <u>9:00 a.m.</u>	JURY TRIAL.

SIGNED at Galveston, Texas, this 3<sup>rd</sup> day of November, 2016.

  
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George C. Hanks Jr.  
United States District Judge